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CHAMBERS OF  
WILLIAM H. PAULEY  
U.S.D.J.

August 1, 2008

By Hand

**MEMO ENDORSED**

Honorable William H. Pauley, III  
United States District Court Judge  
Southern District of New York  
Thurgood Marshall Courthouse  
500 Pearl Street, Room 2210  
New York, NY 10007

Re: Selvaggio v. New York Daily News L.P. et. Al.  
08 CV 6511 (WHP)(HBP)

Dear Judge Pauley:

Yesterday I served and filed my Notice of Appearance for Mr. Michael Selvaggio, Jr. who filed a petition in Supreme Court of the State of New York to vacate an arbitration decision pursuant to Article 75 of the CPLR.. This petition was removed into the United States District Court. On July 25, 2008 the attorney's for the Daily News sent a letter requesting permission to file a motion to dismiss. I am writing in response to this letter to inform the court that I will be filing an amended complaint next week as per Rule 15 of the Federal Rules of Civil Procedure. The amended complaint will include Mr. Selvaggio's union, Newspapers and Mail Deliverer's Union of New York and Vicinity as a party defendant and allege, among other things that his union violated its duty of fair representation in regards to the union's representation at and after the arbitration.

I am respectfully requesting until August 8, 2008 to file said amended complaint. Thank you for your attention to this matter and if you have any questions, feel free to contact my office.

*Application granted.*  
SO ORDERED:

*WILLIAM H. PAULEY III U.S.D.J.*

*8/4/08*

Respectfully,

*Noah A. Kinigstein*

Noah A. Kinigstein

cc: Neil H. Abramson, Esq. By facsimile and first class mail

American Arbitration Association by facsimile and first class mail

*Defendants may renew their application for a pre-motion conference after Plaintiff serves and files his amended complaint.*